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PART-I

Notifications, Orders and Declarations by Haryana Government

STATE ELECTION COMMISSION HARYANA

NIRVACHAN SADAN, PLOT NO. 2, SECTOR 17, PANCHKULA

Order

The 13th February, 2019

SUBJECT:- PANCHAYAT GENERAL ELECTIONS-2016 DISQUALIFICATIONS OF DEFAULTING CANDIDATES REG.

No. SEC/2E-II/2019/227.— The General Elections of Zila Parishad, Rohtak were held in January, 2016 and the results of the elected candidates were declared on 28.01.2016.

2. As per provisions contained in the Haryana Panchayati Raj Election Expenditure (Maintenance and Submission of Accounts) Order, 1996, every candidate contesting election to the post of Member of Zila Parishad shall have to maintain day to day election expenditure account in accordance with the procedure laid down in paras 4, 5 and 6 of these orders and shall have to lodge his account of election expenses within 30 days from the date of declaration of result of the election in the prescribed format with the Deputy Commissioner-cum-District Election Officer(Panchayat) or any other officer as specified by the Commission. The total of the expenditure shall not exceed such amount as may be notified by the State Election Commission from time to time.

3. Para 11 of these orders provides that if the State Election Commission is satisfied that a person –

- (a) has failed to lodge an account of election expenses, within the time and in the manner required by or under this Act, and
- (b) has no good reason or justification for the failure the State Election Commission shall, by order published in the Official Gazette, declare him to be disqualified and may such person shall be disqualified for a period of three years from the date of the order.

4. The Commission, *vide* its notification No. SEC/2E-II/2015/5782, dated 03.06.2015 prescribed the limit of expenditure of Rs. 2,00,000/- that may be incurred by the contesting candidate or his authorized agent in connection with election of Member Zila Parishad.

5. As reported by the Deputy Commissioner-cum-District Election Officer, Rohtak through his letter No. 15/ Panchayat, dated 17.01.2017, sixty three contesting candidates of Zila Parishad, Rohtak failed to submit their election expenditure statement within the prescribed time. The Commission had served a show cause notice upon them to explain as to why they should not be disqualified on account of non submission of election expenditure account within the prescribed period. In the first instance, I had given an opportunity of personal hearing to ten candidates in my office chamber on 09.01.2019 in the interest of justice. Sh. Satbir, Clerk was present on behalf of the Deputy Commissioner-cum-District Election Officer (Panchayat), Rohtak.

6. The following candidates did neither respond to the show cause notice nor appeared before me, details as under:-

क्रम संख्या	उम्मीदवार सर्वश्री/श्रीमती	पिता/पति सर्वश्री/श्रीमती	गांव व डॉ0	वार्ड नं0
1.	देवेन्द्र सिंह	दिलबाग सिंह	खरावड़	8
2.	भीष्म	जयनारायण	अटायतल	8
3.	अनिल कुमार	पृथ्वी सिंह	मायना	9
4.	राजबीर	रामकिशन	चुलियाना	9
5.	राजसिंह	रघुबीर सिंह	ईसमाईला, 9 बिसवा	9
6.	राजबीर	कांशीराम	सुण्डाना	10
7.	राजेश	भूप सिंह	माडौदीजाटान	10

Therefore, it can be concluded that the above mentioned seven candidates have nothing to say in the matter. Hence, they deserve to be disqualified. I, Dr. Dalip Singh, State Election Commissioner, Haryana, in exercise of powers vested under Article 243K of the Constitution of India and Section 212 of the Haryana Panchayati Raj Act, 1994 and all other powers enabling in this behalf hereby order that the seven candidates mentioned in para 6 be disqualified for being chosen as, and for being a member of Panchayats i.e. Gram Panchayat, Panchayat Samiti and Zila Parishad for a period of three years from the date of this order.

7. I further direct that a copy of this order be sent to all the candidates mentioned above through Deputy Commissioner-cum-District Election Officer, Rohtak.

8. I further direct that a copy of this order be hosted on website of the Commission www.secharyana.gov.in.

Panchkula:
The 9th January, 2019.

DR. DALIP SINGH,
State Election Commissioner, Haryana.